

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LACARLA MCCARTY,

Petitioner,

No. 11-15613

vs.

Hon. Gerald E. Rosen

MILLICENT WARREN,

Respondent.

ORDER DENYING CERTIFICATE OF APPEALABILITY AND
DENYING APPLICATION TO PROCEED ON APPEAL *IN FORMA PAUPERIS*

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on October 02, 2013

PRESENT: Honorable Gerald E. Rosen
United States District Chief Judge

On August 14, 2013, this Court entered an Opinion and Order and Judgment denying LaCarla McCarty's Petition for a Writ of Habeas Corpus. In that same Order and Judgment, the Court also denied a certificate of appealability. No new arguments or evidence of record are presented in Petitioner's September 11, 2013 Application for Certificate of Appealability. The Court further finds that any appeal would be frivolous. Therefore,

IT IS HEREBY ORDERED that Petitioner's September 11, 2013 Application for Certificate of Appealability [**Dkt. # 11**] is DENIED.

IT IS FURTHER ORDERED that Petitioner's Application to Proceed with an

Appeal Without Prepayment of Fees and Costs [**Dkt. # 12**] is DENIED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: October 2, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 2, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135